

AGANA FRACTIONAL LOT AFFAIR

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NOVEMBER 1965

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THE AGANA FRACTIONAL LOT AFFAIR

By: Paul B. Souder

Agana's fractional lots, which have effectively hampered the growth of New Agana for the past 16 years, will soon be a page from history if present plans materialize.

A review of how the problem arose, and the solutions which have been proposed, is essential for an understanding of the present approach for the resolution of this vexing and perplexing problem.

The city of Agana, which had a population of approximately twelve thousand (12,000) prior to the war, was almost completely destroyed during the reoccupation by the American Forces in July, 1944. Immediately after the cessation of fighting, consideration was given to rebuilding the city by both the military government authorities and the Agana residents. It was recognized that reconstruction of the city along the old pattern would be impossible if a slum city was to be avoided.

In November, 1944, a petition in the form of a publicite was presented to the Island Commander of Guam wherein fifty six percent (56%) of the recognized owners, representing sixty percent (60%) of the private property in Agana, requested the Military Government of Guam to plan and lay out the city along modern lines. Action was instituted to obtain Government funds to plan the city and to construct public facilities and Government buildings. A sum of six million dollars (\$6,000,000) was allocated by an act approved February 18, 1946, Public Law 301, 79th Congress of the United States, for the construction of the civilian economy of Guam. This money was designated to be used for Agat and Agana.

The sum of five hundred thousand dollars from this fund was allocated for use in the necessary purchase of lands by the Naval Government in furtherance of the reconstruction program.

Realizing that many of the existing private lots in Agana were sub-standard in size and that the New Agana plan with new lot lines would result in many multiple ownerships, the Island Commander decided that the private land problem could be most expeditiously handled by purchasing all lands in Agana and selling to private owners, as modern sized lots, and land not required for public purposes.

In January of 1947 there was submitted to the Guam Congress, a proposal that the Governor use the five hundred thousand dollars as a revolving fund for the purchase of all private lands in Agana for laying out a new city and resale of the new lots to the former residents of Agana. The Guam Congress was to determine priorities of redistribution to individual landowners, for the redistribution of such new lots was a matter of interest primarily to those individuals who owned lots in Agana.

During the latter months of 1946 and the first three months of 1947 several of the former lot owners in the City of Agana told the Land and Claims Commission of their desire to return to Agana and assume control of their privately-owned lands, some of whom stated they did not sign the original petition requesting a new town layout and therefore did not consider themselves to be bound by the agreements contained in such petition. Statements made by members of the Guam Congress in its debate on motions affecting negotiations between the property owner and the Government at its March, 1947, session indicate that the agreements contained in the 1944 petition did not represent the will of the majority of the citizens of Agana. The 1944 petition was set aside, and the Guam Congress was told that the procedure to be used for the development of the new City of Agana should be in accordance with the desires of the citizens to be affected thereby.

In the deliberations by the Guam Congress in March of 1947 no action was taken whereby the Congress assumed responsibility for certifying priorities to the Governor for each individual property owner of old Agana in the event a new city layout was adopted. The Guam Congress decided that the original owners of land of old Agana should have first choice of priority of selection, and if these persons did not wish to come back to Agana that members of the original owner's family should have second choice with a proviso that they shall be limited to two years' time to make their decision, and with an additional condition that they have priority rights to their old land or as near as possible to their old site. The Guam Congress so informed the Governor of the procedure it desired to be followed with regard to assigning priorities in the redistribution of lots in the layout of the new City of Agana, but in effect placed the responsibility of effecting such priorities on the land representatives of the Governor by negotiation between such representatives and the individual landowners. This condition for fixing priorities was incapable of performance by means of negotiation with the landowners because at least 50% of the old residents of Agana would be unable to get new lot sites near their old lot sites, and such lot owners involved would not give up their private property rights unless compelled by law to do so. This compulsion, if done, must be through the action of the Guam Congress.

In April of 1947, in lieu of the Guam Congress' assuming responsibility for priorities to individual landowners for distribution of new lots in the new plan for Agana, the Governor submitted to the Guam Congress, a plan whereby the property owners of the lots in old Agana should be required to accept the plan for new streets and new lots in New Agana in accordance with a zoning ordinance that would not allow construction of buildings except upon a lot of a minimum size, and, under such plan, the Naval Government would

acquire, from private ownership, at market value, all lands needed for new streets, the widening of old streets, park areas, and for the location of public buildings. The private landowners were to assume the burden of conforming with the street and lot layout pattern by individual negotiations for purchase or sale of lands necessary to meet with the limitations and conditions of a proposed zoning ordinance.

On 27 June, 1947, the Governor of Guam submitted a statement to the Guam Congress concerning the rehabilitation and reconstruction of Agana. This statement presented a summary of all action taken up to that date and requested that all property owners review the plan of Agana as presented in order to arrive at a mutual agreement ^{and} to allow the construction program to proceed. It was stated that the construction program would be placed into effect on 1 August, 1947, unless the Governor was otherwise advised by Guam Congress or by petition from Agana citizens.

In the June session of the Guam Congress the Chairman of the City Planning Commission reported that the Zoning Ordinances had been approved. This report was adopted in joint session by both houses of the Guam Congress.

The actual reconstruction of Agana was initiated, and continued through July 1949, and included the following expenditures:

Roads - 483,500 square feet asphaltic concrete	\$ 577,000.00
Walks - 9,100 square feet concrete	96,000.00
Utilities - 6,900 linear feet of water line	
16,300 linear feet of sewer line	
4½ miles of power line	1,386,000.00
Congress Building - concrete 27,000 square feet floor area	683,000.00

Site preparation - removal of debris and preparing ground for construction	255,000.00
Police Building - concrete 12,600 square feet of floor area	616,000.00
Total Expended	\$3,593,000.00

One additional attempt was made to obtain the approval of all land owners in Agana to the New Agana plan. Notices were published in the Guam News and distributed to the Commissioners. Public meetings were held in several of the villages and personal contacts were made by the Guam Planning Commission. Seventy five percent (75%) of all land owners in Agana (being all but four-tenths of one percent of the land owners contacted) signed the petition requesting that Agana be rebuilt in accordance with the new plan. The remaining twenty five percent (25%) of the land owners were either dilatory in signing the petition, refused to do so or were not available for contact.

On 10 March, 1948, the Attorney General ruled that 100% of the signatures were required to accomplish the complete subdivision plan. He stated that condemnation of lands for streets and other public purposes could proceed, but that it would be illegal to force the subdivision within a block area without the consent of all the land-owners involved.

As a result, the Governor issued a proclamation to all land owners of Agana on 23 March, 1949, stating in conclusion:

"NOW, THEREFORE, it is pointed out that unless all of the landowners in Agana signify their desire to have Agana reconstructed as a modern city by immediately calling upon the Guam Planning Commission for the purpose of acquainting themselves with the petition to replan Agana and to sign said petition, the Government will be forced to stop the reconstruction work in Agana and divert the funds to other rehabilitation projects."

Although one hundred percent (100%) of the owners signatures were never obtained, the work continued within the funds available.

On February 29, 1949, the Land Transfer Board developed a priority system for the disposal of Government property not required in the new plan and fifty-six (56) lots were sold to the first priority holders. Consideration for this priority classification was based on the buyer having been a pre-war resident of Agana who had lost all of his land through acquisition, or whose remaining land was too small to be used as resident property as a result of part acquisition.

The City of Agana Planning Commission was created by resolution of the Ninth Guam Congress on July 29, 1950, for the express purpose of finding a means of settlement for the lots of Agana still in multiple ownership. They agreed that the only truly practical manner to lot ownership settlement was to call in owners, give them an opportunity to have informal discussion before the Commission, airing their differences of opinion, and then request, without coercion, some kind of a definite answer of settlement from them. Although the above method of arbitration was considered the most efficacious, several other techniques were suggested, namely that the Government of Guam condemn lots on which property owners could not reach amicable settlement, settle owner-ship disputes, then auction these lots.

The Commission recommended to the Congress that the problem of resolving the new lots in Agana into single ownership had best be done on a voluntary basis. They suggested that such a program be followed for two years, after which results would be reviewed, and if necessary a further course of action proposed.

The Sixth Guam Legislature in 1961 passed Resolution 175 which suggested the exchange of reclaimed swamp land for fractional lots in

Agana. Resolution 11 of the same body requested the Commissioner of Agana to report on steps taken to clear the title situation in Agana. Bill 78, the Agana Fractional Lot Law and Bill 90, on Agana land condemnation failed to pass this body.

In 1963, the Seventh Guam Legislature considered Bill 11, the Agana Fractional Lot law, but failed to pass it.

The Commissioner of Agana in the June 26, 1965 issue of Guam Times Weekly, reported on the establishment of a citizens committee to resolve this problem. Because of the lack of authority to act, this committee ceased operation.

Sixteen years have elapsed since New Agana was completed. Some success on the part of private owners has resulted in the consolidation of a portion of the fractional lots. In 1963, the property ownership pattern in New Agana was distributed in the following manner:

<u>BLOCK NO.</u>	<u>% PROPERTY IN FRACTIONAL OWNERSHIP</u>
1	78
2	50
3	10
4	0
5	20
6	75
7	90
8	95
9	0
10	50
11	20
12 thru 20	0
21	97
22	95
23	84

24	92
25	85
26	85
27	0
28	0
29	0
30	20

To resolve this problem the Congress of the United States has appropriated funds by Public Law 52 of the 89th United States Congress under authority of the Guam rehabilitation law, (Public Law 170 of the 88th United States Congress) to the Department of the Interior to be made available to the Government of Guam for the purchase of fractional lots in Agana.

In that insufficient monies are available for purchase of all lots in one step, fractional portions of the most salable property will be procured first to permit rapid disposition of such consolidated lots permitting reutilization of needed funds from such sales. Fractional lots in the blocks indicated will be purchased in the order listed:

Block 5, Block 6, Block 7, Block 8,
 Block 1, Block 30, Block 29, Block 2,
 Block 3, Block 26, Block 25, Block 23,
 Block 22, Block 24, Block 9, ~~Block 8,~~

Block 21, Block 10

The listing takes into consideration the tax base and potential revenues therefrom, potential economic development, as well as the most potentially valuable and disposable land.

On completion of the above, it is proposed to continue with the resolution of fractional lots in Old Agana east of Route 4, the San Ramon

district of Agana, the Anigua area north of Marine Drive, and Agana portions of Maite.

Insofar as possible the Government will attempt to purchase the fractional lots by negotiation. The prices will be based on the current values as appraised for tax purposes.

On property of fractional ownership where no estates are involved, where no undistributed interests appear, and where all owners are known and are present on Guam, a 45 day negotiation period from first notice or contact will permit multiple owners to resolve title in one individual or firm. After due notice, the responsibility for resolution of ownership lies with owners of fractional portions.

If resolution of the above is not accomplished, or if estates or undistributed interests appear, or if owners are unknown or unavailable, purchase will be accomplished by proceedings of eminent domain, in accordance with Public Law 8-114 of the Eighth Guam Legislature.

The new lots consolidated by purchase by the Government of Guam, will be made available for sale, except those needed for public use.

~~Except proposed lots~~

Consolidated lots will be sold in accordance with the land transfer law of the Government Code of Guam.

In purchase of Agana property for consolidation and in the sale or other disposition of lots, exchanges of property on a value for value basis will be used where possible.

To make the purchase and sale of fractional lots more simple the executive branch of the Government of Guam plans to submit to the Guam Legislature at its next session, a bill to amend the existing land transfer law to provide a special procedure for the sale or exchange of lots in Agana. The essential elements of the proposed procedure will

provide a system of priorities, and in the absence of priorities a procedure for sale upon sealed bid. The proposed priorities are:

Priority 1: Owners of buildings situated on lands involving fractional ownership, which buildings were constructed prior to 1949 or after 1949 with a duly issued building permit. Owners of buildings so constructed upon leased land may, with the duly acknowledged consent of the owners of the land, purchase the balance of the lot in lieu of the property owners.

Priority 2: Any owner of a part of a lot in Agana which exceeds one-half of such lot, his old portion to be applied as partial payment for the new lot.

Priority 3: If neither priority one nor priority two applies, consolidated lots will be disposed of as a complete lot by sale on a sealed bid basis, invited by proper advertising, with the current appraised value plus ten percent being the minimum acceptable bid.

All sales transactions shall be on a cash basis, except where exchange is involved. In the latter case, cash terms will apply on differential value.

With your assistance and that of your neighbors, Agana's Fractional Lot problem may soon be something of the past.

As of June 30, 1967, property ownership in Blocks 5, 6, 7 and 8 in New Agana had been consolidated into 27 new lots, from 218 fractional pieces.

The resolution program ^{phase} has involved the purchase of ^{1.22 acres} ~~27 lots, 15,397.72~~
~~square meters~~ for \$79,272.05. Thirteen pieces have been sold (~~8,555.36~~
^{2.11 acres}
~~square meters~~) for \$115,730.32.

The Government of Guam holds 14,479.78 square meters ~~more~~ for sale at a minimum value of \$267,000. The Government of Guam has additionally exchanged 130,724.07 square meters of land for Agana fractional lots, valued at \$81,037.48. The program is continuing.

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NAVAL GOVERNMENT OF GUAM

GOVERNOR OF GUAM

Serial 2145

27 June 1947

From: The Governor of Guam.
To: The Guam Congress.

Subj: Rehabilitation and Reconstruction of Agana - Statement Concerning.

1. The following constitutes a brief chronological record of items pertaining to the above subject.

(a) In November of 1944 a petition in the form of a plebiscite was presented to the Island Commander of Guam wherein certain property owners in Agana requested the Military Government of Guam to plan and lay out the City of Agana along modern lines.

(b) In response to the request contained in said petition action was instituted to obtain Government funds to be used in the construction of Government buildings. A sum of six million dollars was allocated by Public Law 301, 79th Congress of the United States, to be available toward reconstruction of the civilian economy of Guam which money has been designated to be used for Agat and Agana. This law became effective February 18, 1946. The sum of five hundred thousand dollars from said fund was allocated for use in the necessary purchase of lands by the Naval Government in furtherance of such reconstruction program.

(c) In January of 1947 there was submitted to the Guam Congress, for consideration, a proposal that the Governor use the five hundred thousand dollars as a revolving fund for the purchase of land and in such manner purchase all private lands in Agana for the purpose of laying out a new city and resale of the new lots to the former residents of Agana. Involved in this plan was the assumption of responsibility by the Guam Congress to determine priorities of redistribution to individual landowners, for the redistribution of such new lots was a matter of interest primarily to the Guamanians who owned lots in Agana.

(d) During the latter months of 1946 and the first three months of 1947 several of the former lot owners in the City of Agana made known to the Land and Claims Commission their desire to return to Agana and assume control of their privately-owned lands located therein, some of whom stated they did not sign the original petition requesting a new town layout and therefore did not consider themselves to be bound by the agreements contained in such petition. Statements made by members of the Guam Congress in its debate on motions affecting negotiations between the property owner and the Government at its March, 1947, session indicate that the agreements contained in the 1944 petition did not represent the will of the majority

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of the citizens of Agana. In harmony with representative government which should follow the will of the majority, the conditions precedent to the rebuilding of Agana as contained in the 1944 petition were set aside, and it was submitted to the Guam Congress that the procedure to be used for the development of the new City of Agana should be in accordance with the desires of the citizens to be affected thereby.

(e) In the deliberations by the Guam Congress in its session held in March of 1947 no action was taken whereby the Guam Congress assumed responsibility for certifying priorities to the Governor for each individual property owner of old Agana in the event a new city layout was adopted. The Guam Congress passed a motion to the effect that the original owners of land of old Agana should have first choice of priority of selection, and if these persons did not wish to come back to Agana that members of the original owner's family should have second choice of selection with a proviso that they shall be limited to two years' time to make their decision, and with an additional condition that they will have priority rights to their old land or as near as possible to their old site. By this action the Guam Congress informed the Governor of the procedure which it desired to be followed with regard to assigning priorities in the redistribution of lots in the layout of the new City of Agana, but such action in effect placed the responsibility of effecting such priorities on the land representatives of the Governor by negotiation between such representatives and the individual landowners. The condition attached to such procedure for fixing priorities is incapable of performance by means of negotiation with the landowners for the reason that at least 50% of the old residents of Agana would be unable to get new lot sites near their old lot sites, and such lot owners involved will not give up their private property rights unless compelled by law to do so. This compulsion, if done, must be through the action of the representatives of the people of Guam, the Guam Congress.

(f) In April of 1947, in lieu of the Guam Congress' assuming responsibility for priorities to individual landowners for distribution of new lots in the new plan for Agana, the Governor submitted to the Guam Congress, for its consideration, a plan whereby the property owners of the lots in old Agana should be required to accept the plan for new streets and new lots in New Agana in accordance with a zoning ordinance that would not allow construction of buildings except upon a lot of a minimum size, and, under such plan, the Naval Government was to acquire, from private ownership, at market value, all lands needed for new streets, the widening of old streets, park areas, and for the location of public buildings. The private landowners were to assume the burden of conforming with the street and lot layout pattern by individual negotiations for purchase or sale of lands necessary to meet with the limitations and conditions of a proposed zoning ordinance.

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2. In the June session of the Guam Congress the Chairman of the City Planning Committee reported out the following with regard to adoption of a zoning ordinance for Agana: "I wish to report that the Zoning Ordinances have been approved; however, the interest of the property owner involved shall not be prejudiced. The Agricultural Zone was not approved." This report of the City Planning Committee was approved and adopted in joint session by both houses of the Guam Congress.

3. A Zoning ordinance in its very essence is not only prejudicial to vested property rights of individual landowners, but actually limits, conditions, and even takes away from the individual landowner property rights which he theretofore held. In the particular property rights involved in the zoning ordinance for Agana, the old lot owner in Agana must be positively informed that he can no longer use his old lot for construction purposes if it does not contain a minimum area, the effect being that he is compelled to deal with his neighbor in the many instances where two or three of the old lots must now be combined to make up a lot of minimum size. The landowner in Agana by the zoning ordinance must accept the fact that the old street pattern will no longer be in effect and that many of these old streets will be closed out and can no longer be used as a means of access to the property which he owns. In effect, such owner may have no access to his property when the new street layout is accepted except by crossing over his neighbor's property. This is a consequential damage for which no compensation can be paid to the individual landowner involved. The former landowner in Agana must accept the fact that if his land lies within the right-of-way of one of the new streets that such land will be taken from him for the use of the public and that he will be left to his own initiative to purchase another lot in the New Agana from some lot owner who has been fortunate enough to have lands remaining under his control that were not required for public purposes. It must be recognized that these items are definite infringement upon property rights of the individual landowner and, if adopted, must be adopted on the basis that they are for the furtherance of public interests which affect the community as a whole rather than private interests which affect only the individual landowners on Guam. As a practical matter it will take many months and may take several years before all the present property owners in Agana have negotiated with each other and secured areas under the individual control of one landowner which are of sufficient size to allow for a building program under the zoning ordinance, and this fact should be definitely weighed in a decision by the Guam Congress wherein vested private property rights are limited and conditioned by zoning ordinances. Such private property rights may be taken for a public purpose where such public purpose has as its objective the promotion of public health, safety, morals, general welfare, security, prosperity, and

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contentment of all the inhabitants or residents within a given political subdivision such as the City of Agana, but it must be kept in mind that in the opening of new streets or the widening or improving of old streets the owners of adjoining property are often compelled to bear the expenses, or at least a portion of them, notwithstanding the work is being done chiefly for the benefit of the public. There is money available to help the people of Agana by purchasing in fee and paying for land actually used, but the Government cannot take on the obligation of paying for consequential damages that will result to many of the lot owners in Agana by reason of the fact that their vested property rights are limited, conditioned and entirely lost by the adoption of a zoning ordinance and new street plans.

4. Pursuant to the report of the Chairman of the City Planning Committee of the Guam Congress, as quoted above, the Governor proposes to predicate further action in Agana on the basis of "public interest" versus "private interests". Public interest is defined by the Supreme Court of the United States as circumstances which clothe a particular kind of business with a "public interest" as to be subject to regulation, but must be such as to create a peculiarly close relation between the government and those engaged in it and raise implications of affirmative obligation on their part to be responsible in dealing with the public. It is further stated by the Supreme Court of the United States that a business is not affected with a "public interest" merely because it is large or because the public has concern in respect to its maintenance, or derives benefit, accommodation, ease or enjoyment from it. The Government of Guam, as a matter of legal action where public interests are concerned, may acquire, for a public purpose, those objects which, according to settled usages, the Government is to provide, as distinguished from the objects which, by like usage, are left to private interest, inclination, or liberality. Mr. Justice Roberts of the Supreme Court of the United States stated that the phrase "affected with a public interest", as used in decisions upholding public regulation of businesses affected with a public interest, means only that an interest for adequate reason is subject to control for the public good. In its final analysis the acquisition of property or the limiting and conditioning of vested property rights in the City of Agana becomes one of distinguishment between (1) a legitimate exercise of a police power to take away property rights, or (2) the deprivation of property rights without due process of law. The taking of private property rights by acquisition of land area for certain public buildings and streets to serve such buildings is considered to be definitely within the scope of "public interests", but the taking of private property rights by acquisition of land areas for streets and easements for the purpose of closing out old streets and redesignating individual property lines on a new lot layout pattern, wherein the primary benefit accrues only to a portion of the landowners holding land within a private business or private residential area, is not within the scope of "public interests".

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5. Reference is here made to the proposed zoning code for Agana and accompanying map. The following is defined as of "public interest", to which the right of condemnation rightfully applies.

Lands required for:

1. Guam Congress Building
 2. Court House
 3. Police Headquarters and City Jail
 4. Schools and Playgrounds
 5. Fire Station
 6. Bus Terminal
 7. Public Library
 8. Bank
 9. Post Office
 10. Governmental Administration Buildings
 11. Public Parks and Historical Sites.
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For the protection of public health, sanitation, security, and general welfare of the citizens of Guam, the lands needed for the above-designated projects, as well as street rights-of-way to serve such projects, will be acquired for the use of the public.

6. The feature of the zoning code whereby areas are subdivided into (a) business, (b) residential, (c) business-residential, wherein shop owners may domicile in or over their place of business, and (d) light industry area, should be used as a guide in the approval or disapproval of building permits. Insofar as it is legally possible building permits will restrict the construction of new buildings to the uses, height, and minimum area defined in the approved zoning code and zoning map. These restrictions on private property rights are considered to be subject to regulation within the scope and authority of "public interests". In case any property owner feels that he is justified to deviate therefrom, he has the right of petition, and the matter will be settled on its individual merits provided the "public interests" are not placed in jeopardy thereby.

7. As regards the layout of streets within the residential, business, and light industry areas, the Governor cannot condemn the land for streets in accordance with the proposed plan of New Agana without infringements upon the property rights of individual landowners. Nor can he justify action of this nature on the grounds of "public interests", unless the property owners themselves by joint action petition the Governor to do so.

8. An engineering study of the street and property layout of old Agana indicates that the cost of running utility services to the property owners,

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in accordance therewith, is excessively expensive and cannot be accomplished in full within the funds available. Attention is invited to the fact that utility services of this nature have to follow a precise and well integrated plan, and on the basis of the greatest good to the greatest number.

9. Plans have been developed for utility services in all areas of Agana on the basis of the engineering study referred to above, and if it becomes necessary to lay out public utilities to conform to the street pattern as was found in old Agana, it necessarily follows that within the funds available the engineering actions leading to the provision of inside sewerage, running water, permanent lighting from a common source of power, and telephone service, will have to be materially curtailed, depending upon the precise and concerted expressed desires of the property owners themselves.

10. Meanwhile, justified by the "public interests" involved, the Governor will direct the Land and Claims Commission and the Public Works Office to proceed with the acquisition of lands required for projects designated in paragraph five herein and to proceed with the following necessary construction in accordance with plan:

1. Public Parks and Historical Sites
2. The Guam Congress Building
3. The Court Building
4. The Bus Terminal
5. Police Headquarters and City Jail.

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Since interim arrangements exist for the fire station, public library, bank, post office, administrative building, and schools, permanent construction on these projects will be held in abeyance for the present.

11. It is requested that property owners within the business, residential, and light industry areas, review the plan presented for these areas, and endeavor to arrive at mutual agreement, to permit the layout of common and essential utilities therein, including the purchase of lands required for streets by either voluntary negotiation or condemnation if necessary, the minimum size of lots to which utility services are to be piped or poled, etc. This will have to be on the basis that the Government would be held inviolate from charges of infringement of property rights by individuals whose lands are affected directly or indirectly as a result of the acquisition of lands for street rights-of-way. In addition thereto such landowners should make provision for the use by the Government of rights-of-way over individually-owned lands for public utility easements which are to be made available for connection thereto by such individual lot owners.

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12. The plan submitted herein by your Governor to be used as a guide for further action in the reconstruction program of Agaña will be placed into effect as of 1 August 1947 unless the Governor is otherwise advised by the Guam Congress or by petition of Guamanian citizens.

/s/ C. A. POWNALL

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